

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.  
20-00254-01/02/03-CR-W-GAF

TREVONTAE L. STEWART, et al,

Defendants.

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**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

**PENDING CHARGE:** All Defendants are charged with the following:

- Count One: Aiding and Abetting Hobbs Act Robbery, in violation of 18 U.S.C. §§ 1951(a) and 2
- Count Two: Conspiracy to Commit Hobbs Act Robbery, in violation of 18 U.S.C. § 1951(a)
- Count Three: Aiding and Abetting Carjacking, in violation of 18 U.S.C. §§ 2119(1) and 2
- Count Four: Aiding and Abetting Firearm Possession/Use/Brandish with a Crime of Violence, in violation of 18 U.S.C. §§ 924(c)(1)(A)(i), (ii), and 2
- Count Five: Aiding and Abetting Firearm Possession/Use/Brandish Firearm with a Crime of Violence, in violation of 18 U.S.C. §§ 924(c)(1)(A)(i), (ii), and 2
- Count Six: Aiding and Abetting Firearm Possession by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), and 2
- Count Seven: Aiding and Abetting Possession of Stolen Firearms, in violation of 18 U.S.C. §§ 922(j), 924(a)(2), and 2

**TRIAL COUNSEL:**

Government: Bruce A. Rhoades

Case Agent: FBI Special Agent Tim Flohrschutz

Defendant Trevontae L. Stewart (1): Lance David Sandage

Defendant Cedric D. Ford (2): Stephen Chase Higinbotham Jr.

Defendant Raymond L. Howard (3): Jeffrey Alan Gedbaw

**OUTSTANDING MOTIONS:** None presently.

**ANTICIPATED MOTIONS:** All Defendants anticipate filing Motions in Limine.

**TRIAL WITNESSES:**

Government: 15-20 witnesses, including witnesses listed on the Government's First Proposed Witness List (Doc. 64)

Defendant Stewart: less than 5 witnesses, including Defendant who may testify

Defendant Ford: no more than 5 witnesses, including Defendant who may testify

Defendant Howard: less than 5 witnesses, including Defendant who may testify

**TRIAL EXHIBITS:**

Government: 25 exhibits

Defendant Stewart: less than 10 additional exhibits

Defendant Ford: no more than 10 additional exhibits

Defendant Howard: less than 10 additional exhibits

**DEFENSES:**

Defendant Stewart will rely on:

☒ defense of general denial

☐ defenses of general denial and \_\_\_\_\_

Defendant Ford will rely on:

☒ defense of general denial

☐ defenses of general denial and \_\_\_\_\_

Defendant Howard will rely on:

☒ defense of general denial

☐ defenses of general denial and \_\_\_\_\_

**POSSIBLE DISPOSITION:**

Defendant Stewart:

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

Defendant Ford:

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

Defendant Howard:

☒ Definitely for trial

☐ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

**TRIAL TIME: 4-5 days**

Government's case including jury selection: 3 days

Defense case: 1/2 day per Defendant

**STIPULATIONS:**

With regard to Defendant Stewart, if offered, stipulations are possible as to:

- ☐ chain of custody
- ☐ chemist's reports
- ☐ prior felony conviction
- ☒ interstate nexus of firearm
- ☒ other: social media chain of custody

With regard to Defendant Ford, stipulations are unknown at this time, but possible if offered.

With regard to Defendant Howard, if offered, stipulations are possible as to:

- ☐ chain of custody
- ☐ chemist's reports
- ☐ prior felony conviction
- ☒ interstate nexus of firearm
- ☒ other

**UNUSUAL QUESTIONS OF LAW:** None, but all Defendants anticipate filing significant Motions in Limine concerning the admissibility of certain evidence, including but not limited to social media and First Amendment issues.

**FILING DEADLINES:**

**Deadlines for filings are as follows:**

**Witness and Exhibit Lists:**

Government: March 7, 2022

Defense: March 7, 2022

**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions:** March 7, 2022

**Jury instructions must comply with Local Rule 51.1**

**Motions in Limine:** March 7, 2022

**TRIAL SETTING:** Criminal jury trial docket commencing March 21, 2022

**Please note:** AUSA Bruce Rhoades requests week two (March 28 – April 1, 2022) of the docket because he will be unavailable the week prior to March 21, 2022. Defense counsel for all Defendants have no objection and join AUSA Rhoades' request. Defense counsel Sandage and Gedbaw have matters set the week of March 21, 2022, but neither have immovable conflicts.

**OTHER:** No interpreter or assistive devices are requested.

**IT IS SO ORDERED.**

/s/ Jill A. Morris  
JILL A. MORRIS  
United States Magistrate Judge